

tional on the part of the Enrolling Clerk, it is in the enrolled bills placed in the Third District.

As the House has placed Montgomery county in the Third District ; as the enrolled bill of the Senate places it also in the said Third District ; as this arrangement or apportionment of Montgomery has gone forth by mail to every part of the State ; as the members representing Montgomery county in both Houses of the Legislature, desire that Montgomery should remain as in the enrolled bills ; as it is not a matter of material moment to any parties, a majority of the Joint Select Committee recommend that Montgomery county be and remain in and a part of the Third Congressional District.

RANDOLPH,

One of the Committee on part of the Senate.

A message was received from the House, announcing that the House had refused to adopt the report of the Joint Committee, appointed to consider the disagreement of the two Houses upon a bill to apportion the State into Congressional Districts, and had re-committed the subject to the committee, with instructions to take Montgomery county out of the Third and place it in the Fourth Congressional District.

On motion of Senator Burney, like action was taken by the Senate on the report of the same committee on part of the Senate.

On motion of Senator Cook, the Senate adjourned until 10 o'clock Monday next, A. M., pending Senator Shelley's substitute for Senator Cook's amendment to exemption bill.

SENATE CHAMBER,)
 Sept. 10, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Foscue presented a petition praying for the relief of the citizens of Jefferson county.

Referred to Finance Committee.

Senator Neyland made the following report :

Hon. Robt. H. Guinn, President pro tem., Senate :

The Committee on Engrossed Bills have examined and find

correctly engrossed, a bill to be entitled "An Act amendatory of Article 84 of the Penal Code."

W. M. NEYLAND,
Chairman Committee Engrossed Bills.

Report accepted.

Senator Yarbrow made the following report :

Hon. R. H. Guinn, President pro tem., Senate :

The Committee on Manufactures and Commerce, to whom was referred a bill to be entitled "An act to incorporate the Colorado Cotton and Woollen Manufacturing Company," having had the same under consideration, a majority of the committee have instructed me to report the bill back to the Senate with the accompanying substitute, and recommend the passage of the substitute, in lieu of the bill. J. C. YARBROW, Chairman.

Received, to come up in order.

Senator Shelley made the following report :

To the President of the Senate:

The Committee on State Affairs, to whom was referred a bill to be entitled "An act to incorporate the Western Texas Colonial Land and Emigration Company," have had the same under consideration, and instruct me to report the same back with the accompanying amendment to the 7th section of said bill, and with the adoption of the amendment to recommend its passage.

N. G. SHELLEY, for the Committee.

Received, to come up in order.

Senator Reed submitted the following report :

Hon. R. H. Guinn, President pro tem.:

The Committee on Roads, Bridges and Ferries, to whom was referred a bill to be entitled "An act to incorporate the Richland Turnpike and Toll Bridge Company," have considered the same fully, and the committee have instructed me to report the bill back to the Senate, and recommend its passage.

J. B. REED, Chairman.

Received, to come up in order.

Senator Stell submitted the following report :

Hon. R. H. Guinn, President pro tem. of the Senate:

The Committee on State Affairs, to whom was referred a House bill declaring A. J. Davis and J. C. Davis, citizens of Denton county, have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

J. W. STELL, Chairman.

Received, to come up in order.

Senator Stell also reports :

Hon. R. H. Guinn, President pro tem. of the Senate :

The Committee on State Affairs, to whom was referred a Senate bill to be entitled "An act to incorporate the Houston Direct Navigation Company," for the purpose of considering an amendment placed on said bill by the House of Representatives, have had the same under consideration, and a majority of said committee have instructed me to say that whilst there is a portion of the amendment, particularly that portion protecting "the rights, powers and privileges heretofore granted," that would perhaps be beneficial to the bill, yet the committee, being, as they think, bound to treat the amendment as an entirety, and as the remaining portion they think is exceedingly objectionable, they therefore request me to report the same back to the Senate, and recommend that the Senate *do not concur* in said amendment.

J. W. STELL, Chairman.

Received, to come up in order.

Senator Stell also reports :

Hon. R. H. Guinn, President pro tem. of the Senate :

The Committee on State Affairs, to whom was referred a bill to be entitled "An act donating to the county of Bexar the State taxes for the years 1867 and 1868, for the purpose of building a court house and jail," having considered the same, instruct me to say that they are not able to know what the probable financial condition of the State will be with sufficient certainty to say whether the donation sought should be made, and hence I am instructed to report the same back, and recommend that said bill be referred to Finance Committee.

J. W. STELL, Chairman.

Received, to come up in order.

Senator Stell also reported as follows :

Hon. R. H. Guinn, President pro tem. of the Senate :

The Committee on State Affairs, to whom was referred "A copy of resolutions passed by a public meeting of the citizens of Harris county," have instructed me, as the matter therein referred to will perhaps (if not already) be before the Committee on Internal Improvements, therefore to report the same back to the Senate, with the suggestions, if necessary, to refer at all, that it should properly go to the committee above named.

J. W. STELL, Chairman.

Received, to come up in order.

Senator Stell also reports :

Hon. R. H. Guinn, President pro tem. of the Senate :

The Committee on State Affairs, to whom was referred "A bill authorizing the Secretary of State to furnish the District and

County Clerk and the County Judge of Madison county with Oldham & White's Digest and copies of Supreme Court Reports," have had the same under consideration, and have instructed me to report the same back with the accompanying substitute, and recommend that the substitute be adopted and passed.

J. W. STELL, Chairman.

Received, to come up in order.

Senator Blount submitted the following report :

Hon R. H. Guinn, pro tem. of the Senate :

The Committee on Stock and Stock Raising, to whom was referred a resolution requesting said committee to inquire into the necessity of amending the stray laws, have had the same under consideration, and have instructed me to report the accompanying bill to be entitled "An Act to regulate the estraying of stock in the State of Texas," and recommend its passage.

J. M. BLOUNT, Chairman.

Received to come up in order.

Senator Cook submitted the following report :

To the President of the Senate :

The Committee on Federal Relations, to whom was referred the joint resolution of September 3rd, approving the policy of the President of the United States, and the action of the Philadelphia Convention &c. &c., have had the same under consideration, and have directed me to report the same back to the Senate with the following amendments, viz :

After the word "times," in the tenth line, from top of page 2, strike out the words "when controlled by the conscript fathers."

Let the third resolution of the series be amended so that the same shall read as follows :

Be it further resolved, That the people of Texas cordially approve of the great and patriotic object for which the National Conservative Convention was recently assembled in the city of Philadelphia, and that we will cheerfully unite with conservative men, in every portion of the country, in the effort that is now being made to extend the sanction and authority of the Constitution over all the States of the Union, and to enforce the laws made in pursuance thereof.

After the "resolutions," in the final paragraph of the series, on page 4, strike out all succeeding words.

With these amendments, I am instructed by the committee to report the joint resolutions back to the Senate, and recommend their adoption.

R. V. COOK, Chairman.

Received to come up in order.

Senator Foscoe moved that the Secretary procure the documents referred to in Governor's message, to be referred to Printing Committee.

Adopted.

Senator Neyland, Chairman of Select Committee, submitted the following report :

Hon. R. H. Guinn, President pro tem. of the Senate:

The Select Committee, to whom was referred the bills under consideration in the Senate, for the protection of the frontier of the State of Texas, have examined the same, and a majority have instructed me to report in favor of the adoption of the House bill, with the following amendments, viz :

In first section, second line, strike out the word "shall," and insert "may."

In fourteenth line, same section, strike out "captain," and insert "major."

In fifteenth line, same section, strike out "first lieutenant," and insert "captain."

To the end of first section add, "and the pay herein provided for shall be full compensation in lieu of all other pay, and commutation for clothing for officers and men."

At the end of second section, "provided that no man be enlisted until he has so furnished himself with arms, accoutrements and horses."

To the end of third section add, "provided, that five companies of said Battalion shall be raised, if practicable in the counties of Cook, Denton, Montague, Clay, Jack, Wise, Young, Parker, Tarrant, Palo Pinto, Johnson, Erath, Comanche, Hamilton, Bosque, Coryell, Lampasas, Brown, San Saba, Llano, McCulloch, Mason, Menard, Williamson, Burnett, Blanco, Comal, Kendall, Gillespie, Kerr, Bandera, Uvalde, Frio, Medina and Atascosa, which counties shall be apportioned by the Governor into five districts, each county be allowed to furnish an equal number of men, as near as practicable, and in case of failure to obtain the requisite number in said counties, then such deficiency may be supplied from adjoining counties, and ten companies of said Battalions may be raised in any portion of the State of Texas that the Governor may direct.

Strike out fourth section and insert section "fourth."

The Governor is hereby authorized, whenever he shall deem it necessary, to appoint such number of competent persons as he shall deem sufficient, to organize such number of companies not to exceed _____, and he may determine to call

out, and when not less than sixty-four men shall have been enrolled for any one company, then that company shall proceed to the election of Company officers, and the person elected captain shall retain a muster roll, and make such other returns to the Adjutant General's Department as the Governor may require, and hold his company in readiness to take the field, in obedience to the order of the Governor or superior officer.

Section sixth, second line, strike out the words "subject to," and insert "governed by."

At the end of the sixth section, in last line, between "for" and "battalion," add "into the service of the United States."

At the end of 9th section add, "and further, that he shall have power to reorganize such companies whenever in his judgment the public interest may demand it, and for such time as he may deem proper."

Strike out section ten, and insert :

SEC. 10. Furloughs and leave of absence granted to the officers and enlisted men called into service under the provisions of this act, shall be granted upon such terms and in such numbers from each company as the Governor shall, from time to time, deem proper, and he is hereby authorized to issue rules and regulations to control the granting of furloughs, leaves of absence; provided, that no furlough or leave of absence shall be granted unless there will be left with the company at least two commissioned officers and forty enlisted men for duty. Provided further, that if any officer shall presume to grant a furlough in violation of existing orders, he shall be dismissed. And provided further, that if any officer or enlisted man shall remain beyond the period of his leave or furlough, he shall be reported as a deserter and forfeit all arrears of pay.

W. M. NEYLAND,

Chairman of Special Committee.

MINORITY REPORT.

The undersigned members of the committee beg leave to state that they do not concur with the majority in the report, and recommend the accompanying bill as a substitute for the Senate Bill.

W. M. NEYLAND,

BENTON RANDOLPH.

Report received.

Senator Cook, Chairman of Select Committee, made the following report :

The Special Committee, to whom was referred the bill providing for the division of the State into suitable Congressional Districts, have met a similar committee, on part of the House, and have had the subject matter under consideration. In pur-

suance of the recitals of the bill, as it originally passed the Senate, and in further pursuance of instructions from both Houses, it is the unanimous opinion of the joint committee that the county of Montgomery belongs properly to the Fourth Congressional District.

R. V. COOK,

Chairman of Select Committee.

Rule suspended, report taken up, adopted, and committee discharged.

Senator Cooley introduced a bill supplemental to and amendatory of "An Act to encourage the erection of certain machinery by donations of land and otherwise," approved December 15th, 1863.

Bill read first time, and referred to Committee on Manufactures and Commerce.

Senator Guinn introduced a bill for establishing and funding the public debt of the State of Texas, and creating an Auditorial Board therefor.

Bill read 1st time, and referred to Finance Committee.

Senator Shelley introduced a bill to amend the fifty-sixth Section of "An Act entitled an act to regulate proceedings in the County Court pertaining to estates of deceased persons," approved the — day of —, 1848.

Bill read first time, and referred to Committee on the Judiciary.

Senator Shelley also introduced a bill granting further time for the location and survey of land certificates granted railroad companies.

Bill read first time, and referred to Committee on Public Lands.

A message was received from the House announcing the passage of the following bills :

A bill amendatory of and supplemental to "An Act to incorporate the Jefferson Insurance Company," passed Jan. 7th, 1860.

A bill to incorporate the town of Cameron, in Milam county.

A bill providing for the appointment of Judges in certain cases.

A bill to incorporate the Houston and Harrisburg Turnpike Company.

Also, announced that House had adopted report of select committee on the disagreement of both Houses, on a bill dividing the State into Congressional Districts, which report directs the county of Montgomery to be placed in the Fourth Congressional District.

And a bill to incorporate the Trinity River Slack Water Navigation Company.

Senator Guinn also introduced a bill to create the office of Auditor.

Bill read first time, and referred to Committee on Finance.

Senator Saufley introduced a bill to authorize the County Court of Marion county to appropriate a portion of the jury fund of said county for the purpose of building a jail for said county.

Bill read first time, and referred to Judiciary Committee.

Upon motion of Senator Shannon, the unfinished business (pending the consideration of which the Senate adjourned on Friday, September 7th,) was laid on the table for the present, and the majority and minority reports of the select committee on frontier protection, was taken up.

And upon motion of Senator Shelley, the Senate went into committee of the whole to take into consideration the subject of frontier protection.

Senator Shelley in the chair.

Senator Shelley, Chairman of Committee of the Whole, reported progress of the committee on consideration of the bill on frontier protection, and asked leave to sit again.

Upon motion of Senator Yarbrow, Senator Littleton was excused from attendance upon the Senate for one week from to-day.

Upon motion of Senator Foscoe, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, }
Sept. 11, 1866. }

Senate met, pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

A message was received from his Excellency, the Governor.

Senator Shelley presented petition of De Rejie.

Referred to Committee on Public Buildings.

Senator Parker submitted the following report :

Hon. R. H. Guinn, President pro tem. of Senate :

The Committee on Enrolled Bills, have examined "An act incorporating the city of Jefferson, in Marion county," and find the same correctly enrolled, properly signed, and they have this day presented the same to the Governor for his approval.

F. J. PARKER, Chairman.

Report accepted.